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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 003729

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TAGS: [KNNP](#) [PARM](#) [PREL](#) [MNUC](#) [TRGY](#) [IR](#) [IAEA](#) [EUN](#) [USEU](#) [BRUSSELS](#)

SUBJECT: EU OFFICIALS ON IAEA IRAN REPORT: NOT READY FOR  
UNSC REFERRAL

REF: STATE 188960

Classified By: USEU Poloff Van Reidhead for reasons 1.4 (b) and (d).

11. (C) SUMMARY: Poloff discussed reftel with Council nonproliferation and nuclear policy advisors September 2 and 13. While acknowledging serious unresolved issues, they assessed DG El Baradei's new report as "overall more positive than the last one," and said that EU BOG members were unlikely to go along with our desire for UNSC referral, at least not before November. One questioned why we were in such a rush. They argued that without a plan for handling the issue at the UNSC, any BOG referral risked backfiring and undermining the UN's credibility. They confirmed that the DG's report and a briefing by the EU-3 would feature prominently at the informal Gymnich meeting of EU FMs September 3 and 4, and thought that European countries might have a clearer idea about how to proceed in the short run after that meeting. END SUMMARY.

THE DG'S REPORT: OVERALL BETTER THAN THE LAST  
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12. (C) Poloff discussed reftel on September 2 and 3 with Andreas Strub, Deputy to WMD Rep Giannella and longtime Solana advisor, and Stephan Klement, Council nuclear policy advisor and former IAEA official. The two had just finished writing an assessment of DG El Baradei's report for HiRep Solana and DG Cooper to use at the September 3-4 Gymnich (informal meeting of EU FMs). Strub promised to report our demarche and pass our paper to both men in advance of the Gymnich meeting. In contrast to our interpretation, Strub and Klement assessed the DG's report as "overall more positive than the last one," while also acknowledging that Iran was far from being off the hook on outstanding questions. Klement highlighted HEU contamination of imported enrichment equipment and the Iranian P-2 program as the most serious of remaining open issues, but said that both would require better cooperation from third countries (presumably Pakistan) to resolve. Many of Iran's explanations could be plausible, he said (referring especially to the HEU contamination issue), but there is no way the IAEA can determine that yet.

NOT YET TIME FOR UNSC REFERRAL  
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13. (C) Strub and Klement argued that the time was not right for referring the issue to the UNSC. Citing the more positive tone of this report compared to the last one, Klement said the IAEA should be given more time to learn about third countries. He also said there was a risk that the larger General Conference, convening just after the BOG, could undertake efforts contradictory to the BOG if the BOG reported the file to the UNSC. He thought the DG's report did not warrant taking such a political risk and said that the November BOG would be the earliest politically savvy opportunity for any UNSC referral. Strub agreed that now was not the time for a referral and thought that EU Member States on the BOG would be much more inclined to entertain arguments for referral at the November meeting.

WHAT WOULD YOU DO ONCE THERE?  
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14. (C) Strub also questioned the wisdom of proceeding to the UNSC without a clear strategy for success once there. He said that if the Iranians decided to test the determination of the Security Council as well, and if the Council was unable to unify around a tough sanctions plan and path forward, it would be disastrous and undermine the credibility of the UN system. (COMMENT: The desire to defend the UN's credibility and to enhance its role at the center of EU efforts to promote "effective multilateralism" is a very powerful motivator among EU policymakers. END COMMENT). Strub thought that very few European leaders would consider a UNSC referral without a clear and workable strategy for handling the next steps.

THE EU-3 AND GYMNICH  
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15. (C) Strub confirmed that EU FMs, led by France, Germany and the UK, hoped to agree on a new or revised near-term approach to Iran at their September 3-4 Gymnich meeting in

Maastricht. Our demarche would certainly feature prominently in discussions, he said. Another Commission contact confirmed that RELEX Commissioner Patten is frustrated that the EU does not speak with one voice on Iran, but accepted that the tone of EU discussions would depend heavily on what the EU-3 have to say. Council official Klement was careful to distinguish between IAEA and EU-3 efforts, saying that while Iran has failed in its commitments to the EU-3, that was a separate issue and should not influence the IAEA's process.

McKinley